

**MINUTES OF THE MARCH 19, 2025
BOARD OF DIRECTORS MEETING OF
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT**

The Board of Directors of North Plains Groundwater Conservation District met in regular session on March 19, 2025, at 9:00 a.m. in the Conference Room in the Richard S. Bowers Water Conservation Learning Center Building at the North Plains Water Conservation Center, 6045 West County Road E., Dumas, Texas 79029-7201. The following people were present:

Members Present at 10:34 a.m.:

Daniel L. Krienke, President;
Bob B. Zimmer, Vice-President;
Harold Grall, Secretary, and
Justin Crownover, Director.

Staff present during part or all the meeting:

Janet Guthrie, General Manager;
Kristen Blackwell, Administration Manager;
Odell Ward, Aquifer Science Manager;
Baylee Barnes, Conservation Outreach Specialist;
Curtis Schwertner, Natural Resource Specialist, and
Krystal Donley, Administrative Assistant.

Others present during part or all the meeting:

Lynn Tate, Esq.;
Tom Forbes, via Zoom, and
Dr. Jourdan Bell, via Zoom.

President Krienke declared a quorum present and called the meeting to order at 10:34 a.m.

Harold Grall gave the invocation and led the pledge.

1. - Public Comment

No public comment was made to the board.

2. - Consent Agenda

Justin Crownover moved to approve the Agriculture Committee meeting minutes held February 11, 2025, and the regular board meeting minutes February 12, 2025; approval of District expenditures from February 1, 2025, through February 28, 2025, including the general manager's expense and activity report; approval of payment to Kemp Smith Law for professional services February 1, 2025 through February 28, 2025; approval of payment to Underwood Attorneys at Law for professional services February 1, 2025 through February 28, 2025; approval of the Order Allowing Discounts for Dallam, Hansford, Hartley, Hutchinson, Moore, Lipscomb, Ochiltree and Sherman Counties Ad Valorem Tax Due if paid before January 2026, and approval of the Lipscomb County tax collection contract for fiscal year 2025-2026.

Bob B. Zimmer seconded the motion, and it was unanimously approved by the board.

Action Agenda 3.a. - Receive 89th Texas Legislature Update from Tom Forbes.

Mr. Forbes addressed the board via Zoom and discussed his activities related to the 89th Texas Legislature. Mr. Forbes briefly reviewed the status of various bills that are of interest to the District and reported he has future meeting scheduled seeking support for the Agriculture Water Conservation Fund.

The report was for informational purposes, no motion was made.

Action Agenda 3.b. - Receive report regarding field inspection and services completed during February 2025.

Odell Ward presented to the board the activities of the field staff during the month of February, 2025 including regular calendar tasks, winter water level measurements and the resignation of employee Mitchell Funk.

The report was for informational purposes only.

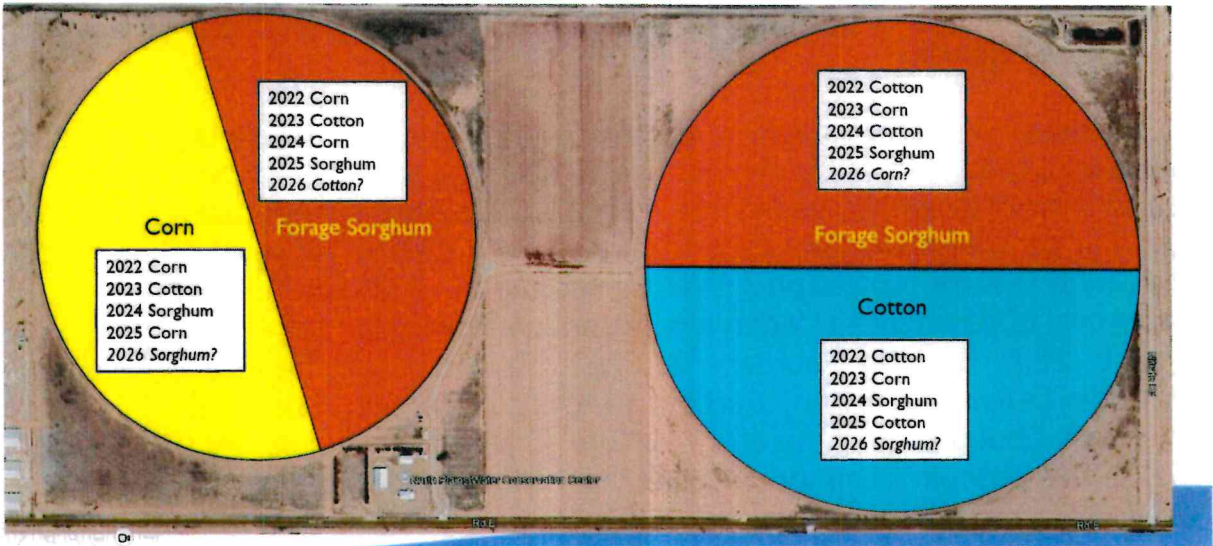
Action Agenda 3.c. - Receive report and consider action as needed regarding agriculture water conservation demonstration programs and the North Plains Water Conservation Center.

Baylee Barnes presented to the board the activities at the Water Conservation Center including rain totals for the month of February, Master Irrigator class, the drought monitor as required by the district's management plan, and the upcoming water festival and its sponsors.

The report was for informational purposes, no motion was made.

Dr. Jourdan Bell presented to the board via Zoom the proposed demonstration plan she and Dr. David Sloane prepared for the 2025 growing season and which had been presented to the Agriculture Committee.

Water Sharing



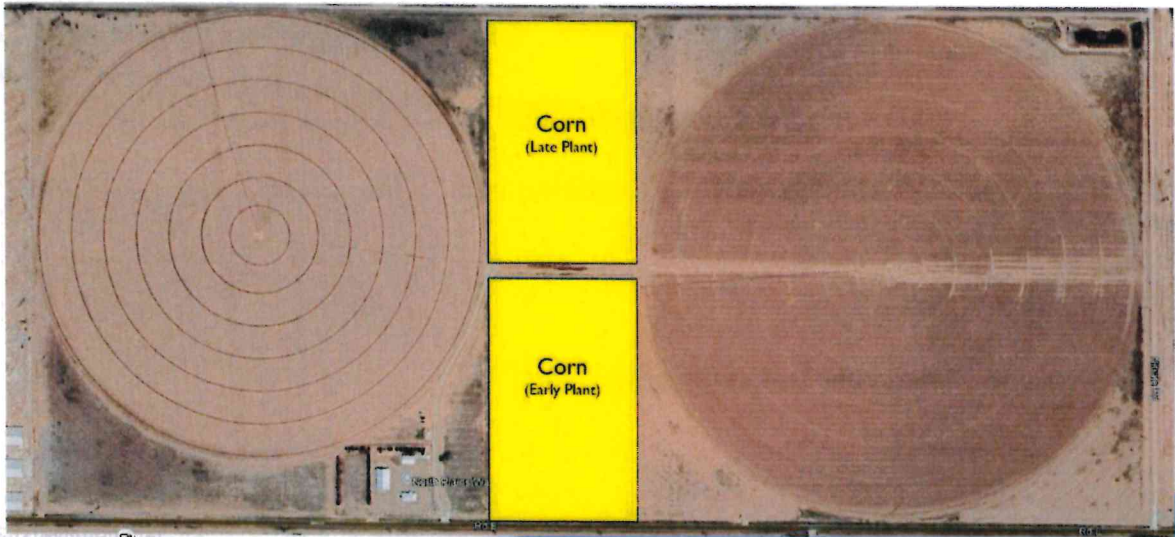
Dr. Bell stated the plan is to repeat the water sharing trial from 2024 and put corn and forage sorghum on the west pivot and cotton and forage sorghum on the east pivot using the same seeding and fertilizer rates. Corn would get priority irrigation decisions

compared to the forage sorghum.

UpTerra is fitted to the west pivot and soil moisture monitoring probes would be used to compare UpTerra treated fields with non-UpTerra treated fields. This would allow them to compare yield and water use of forage sorghum produced with and without UpTerra. Dr. Bell stated she was skeptical of UpTerra’s claims.

The SDI plan for 2025 would be to plant corn later on the north side and plant corn earlier on the south side. Sloane proposed modeling the 200-12 program with new drought tolerant hybrid seeds. See the examples below:

SDI Plan for 2025

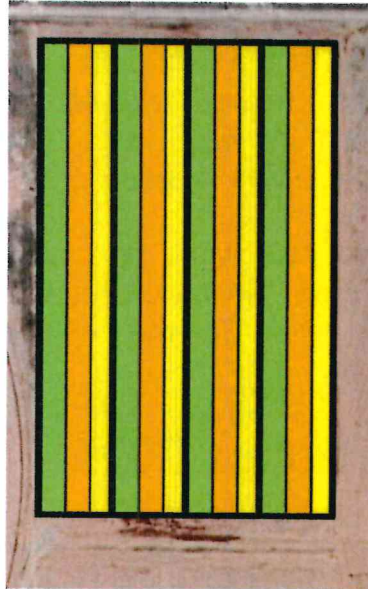


SDI Plan for 2025



SDI Plan for 2025

- 6 Hybrids
 - 2 x Regular Hybrids
 - 4 x AquaMax Hybrids
 - Try to get a variety of drought tolerant hybrids
- 4 x Irrigation regimes
 - Full irrigation – 24" total
 - Reduced irrigation – 18" total
 - Limited irrigation – 12" in season
 - Limited irrigation – 12" total
- 2 x planting dates
 - Early plant on south SDI field (corn after corn)
 - Plant in early May (when cotton is planted)
 - Late plant on north SDI field (corn after cotton) to give more time for rainfall
 - Plant in June (when sorghum is planted)



An investment would need to be made in acquiring eight additional soil moisture probes, a possible controller upgrade and a balance.

Planting would occur as follows:

Cotton and Early Corn: before May 10
Late Corn: Last week of May
Sorghum: before May 10

Daniel Krienke stated the Agriculture Committee recommends the presented plan and study for the 2025 planting season continuing through the 2026 growing season, and moved the board approve the plan as presented.

Harold Grall seconded the motion, and it passed unanimously.

Action Agenda 3.d. - Receive report regarding 2024 Annual Production Reporting

Kristen Blackwell reported that out of 2,960 annual production reports, administration staff have collected 2,875 or 96% and are reaching out and working with report recipients of the remaining uncollected 85 reports.

Bob B. Zimmer requested rough overall figures for 2024, and a comparison of the last five years be presented to the board at the next meeting.

The report was for informational purposes, no motion was made.

Action Agenda 3.e. - Take up, Consider and Take Action on establishing Settlement Agreement conditions for late filers of groundwater production reports in Violation of Rule 6.4.

Janet Guthrie reported to the board regarding standardizing and expediting communications to those who file their production reports after March 1 and violating District Rule 6.4. In order to obtain compliance, condense the process and obtain a compromise and settlement agreement rather than go to a show cause hearing or suit, Mrs. Guthrie proposed the following:

- Continue with the \$50 per day settlement offer with a maximum of \$500.00 per GPU and eligible to receive a refund if they file the next year's production report before January 15.
- As of April 1, the settlement offer is \$75 per day with a cap of \$750.00 per GPU
- As of May 1, the settlement off is \$100 per day with a cap of \$1,000 per GPU
- Each Report Recipient will receive a letter and Settlement Agreement requiring payment and signed Settlement Agreement must be received no later than 30 days after issuance.
- As of June 1, the violation(s) unresolved will be presented to the board as a show cause hearing

Bob B. Zimmer moved the board approve the a settlement agreement with later filers based on 1-31 day settlement offer of \$50 per day per GPU and a cap of \$500 per GPU allowing the refund of the payment if the next production period reports are filed by January 15 of the next calendar year; for 32-60 day late filers the settlement agreement will be based on \$75 per day per GPU with a cap of \$750 per GPU and for later filers 61 to 90 days will be based on \$100 per day per GPU with a cap of \$1,000 per GPU and if a filer is more than 90 days late the violation will be brought before the Board of Directors as a show cause hearing.

Justin Crownover seconded the motion, and it passed unanimously.

Action Agenda 3.f. - Receive report and consider action regarding compliance matters before the District.

Kristen Blackwell reported no new compliance issues for the month of March, 2025 required board intervention and updated the board with compliance totals from 2024 and 2025.

The report was for informational purposes, no motion was made.

Action Agenda 3.g. - Discuss BLF Land, LLC, et al. v. Allen Frerich, et al., No-CV-133-Z (N.D. Tex. Aug. 8, 2023).

This item was addressed in the Closed Session held under Item H of these minutes.

Action Agenda 3.h. - Closed Session.

Executive Session - Section 551.071 of the Texas Government Code.

At 11:34 a.m. President Krienke closed the meeting for consultation with legal counsel as authorized by Section 551.071 of the Texas Government Code, which allows a closed meeting to discuss pending or contemplated litigation, settlement offers or matters where the duty of counsel to the District, pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Texas Open Meetings Act.

Under the authority of the Texas Open Meetings Act, the President declared that we will now close this meeting to the public for the purpose of: Consultation with legal counsel as authorized by Sec. 551.071, Government Code, which allows a closed meeting to discuss pending or contemplated litigation, settlement offers, or matters where the duty of counsel to the District, pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the Texas Open Meetings Act.

President Krienke stated that this is a Closed Session of the North Plains Groundwater

Conservation District Board of Directors on March 19, 2025, commencing at 11:34 a.m. At 11:58 a.m., the board reconvened into regular session.

President Krienke stated that it is my duty to remind you as board members that discussions held in closed session are confidential. In the event of a breach of this confidentiality by an individual director, the disclosure is not to be construed as a waiver of the District's attorney-client privilege. A known disclosure to a member of the public of a tape recording of a closed session constitutes a criminal violation of the Texas Open Meetings Act. This concludes the closed session of the Board of Directors at 11:58 a.m.

President Krienke stated that the meeting of the North Plains Groundwater Conservation District Board of Directors is hereby reopened to the public on March 19, 2025, at 11:59 a.m. No formal action was taken by the Board of Directors during closed session.

Action Agenda 3.i. - Consider recommendations regarding matters discussed in Closed Session.

No motion was made.

Discussion Agenda 4.a. - Director Reports regarding meetings and/or seminars attended, weather conditions and economic development in each Director's precinct.

Director reports were presented to the board.

Discussion Agenda 4.b. - Committee Reports.

No Committee reports were presented to the board.

Discussion Agenda 4.c. - General Manager's Report.

The general manager provided her report to the board in the board packet.

Discussion Item 5 - Set Next Meeting Date and Time

The April meeting of the board was confirmed for April 16, 2025, at 9:00 a.m. Discussion was had about continuing and future topics for the Master Irrigator PAC to consider.

Adjournment.

There being no further business to come before the meeting, President Krienke declared the meeting adjourned at 12:25 p.m.


Daniel Krienke, President


Harold Grall, Secretary